

**EMC RESOLUTION NO.2-2002- RESOLUTION RECOMMENDING THAT  
TOMPKINS COUNTY ADOPT THE NYS PESTICIDE NEIGHBOR NOTIFICATION  
LAW (CHAPTER 285 OF THE LAWS OF 2000), NY ENVIRONMENTAL  
CONSERVATION LAW 33-1004(1)**

WHEREAS, it is prohibited by U.S. Federal law to claim that any pesticide is “safe if used as directed”, and that Environmental Protection Agency (EPA) has stated that “some degree of drift will occur from nearly all pesticide applications”, and

WHEREAS, the registration of pesticides by the Environmental Protection Agency does not ensure public health adequately, particularly for children, the elderly, and pregnant women (as shown by the example of chlorpyrifos, which was the most widely used pesticide in the United States by gallons in 1998 and was banned by the EPA in June 2000 due to subsequent determination of its high toxicity), and

WHEREAS, the EPA reports that people exposed to pesticides may experience a range of symptoms, including headaches, dizziness, respiratory distress, and seizures, and pesticides have been repeatedly associated with long term degenerative neurological illnesses such as Parkinson’s Disease, and

WHEREAS, the inert ingredients in pesticides, which are more than 95% of the product (by gallons) and are not required to be listed on labels, have been reported by New York State Attorney General Elliot Spitzer to consist of hundreds of toxic chemicals, many being listed as active ingredients in other pesticide products, and

WHEREAS, commercial and residential application of pesticides to lawns is primarily for cosmetic purposes, and according to the EPA, 95 % of the pesticides used on residential lawns are possible or probable carcinogens, and

WHEREAS, the New York State Legislature, by passing the Pesticide Neighbor Notification Law (NNL), has determined that it is an important right of citizens to know when, and what pesticides are to be sprayed on neighboring lawns, so that they may minimize exposure by covering furniture, bringing pets, laundry, and children inside, shutting windows, and by taking other such actions, and

WHEREAS, the NNL allows each county to adopt this law only in its entirety, with no changes, and

WHEREAS, a voluntary public registry, a frequently suggested alternative to the NNL, has been specifically rejected as inadequate by both the New York State Senate and Assembly in favor of universal notification, and

WHEREAS, the adoption of the NNL will provide an important opportunity to educate the public with information about safer alternatives to pesticide usage, which will lead to less toxic chemicals being released into the environment, and

WHEREAS, the adoption of the NNL serves as a first step in addressing the risks of pesticide use in the environment, and

WHEREAS, Albany County was originally concerned with problems enforcing the law, enacted the law with a one-year sunset provision, and at the end of the one year sunset provision voted to continue the law without qualification, and

WHEREAS, the four New York counties that have already adopted the NNL have been sued by the pesticide industry (unsuccessfully to date) for failure to comply with SEQRA, now therefore be it

RESOLVED, that the Tompkins County Environmental Management Council recommends that the Tompkins County Board of Representatives should prepare an Environmental Assessment Form and Negative Declaration to comply with SEQRA, and pass a local law to adopt the New York State Pesticide Neighbor Notification Law, to become effective January 1, 2003.

Date: April 10, 2002

Voting in Favor:

11

Voting Against:

1

Abstentions:

2